

Valle De Oro Community Planning Group
P.O. Box 936
La Mesa, CA 91944-936

REGULAR MEETING MINUTES: September 1, 2009

LOCATION: Otay Water District Headquarters
Training Room, Lower Terrace
2554 Sweetwater Springs Blvd.
Spring Valley, California 91978-2004

1. CALL TO ORDER: 7:01 PM Jack L. Phillips, presiding Chair

Members present: Brennan, Brownlee, Feathers, Fitchett, Forthun, Hewicker, Hyatt, Manning, Mitrovich, Phillips, Reith, Ripperger

Absent: Henderson, Millar, Wollitz

2. FINALIZE AGENDA: As shown

3. OPEN FORUM: None

4. APPROVAL OF MINUTES: Minutes of August 18, 2009 **VOTE: 8-0-3** to approve. Abstained: Mitrovich, Reith, Ripperger (Manning late)

5. LAND USE

a. Rezone 09-003, Vac09-002: Rezone and vacation of Open Space easements required for development of the Rancho San Diego Sheriff's Station located on the north side of Campo Road/SR-94 between Jamacha Blvd and the commercial vehicle storage area to the east.

The project was introduced by PHILLIPS. Plan sheets delineating proposed changes were distributed. PHILLIPS stated that the intent was to vacate Area A and B from current open space easement S80 as shown on plans and rezone them as M52 as the rest of the site is zoned. Area C will be changed from the current M52 to open space easement S80 zone. PHILLIPS' **MOTION** recommending approval passed. (RIPPERGER seconds). **VOTE 11-0-0** (Manning late)

b. P09-001: Modification of the initial application for a telecommunications facility in the residential area at 2440 Vista Rodeo Drive. The modification combines the existing T-mobile facility antennas and the proposed Cricket facility antennas on one 40-foot faux broadleaf tree antenna tower. VDOCPG recommended denial of the initial application.

FITCHETT presented the project. He explained that the project will need a Major Use Permit (MUP) since this is a residential area. He stated that in our April 2009 meeting concerning the initial application for this project that we could not make the case for the MUP. The existing T-mobile facility and antenna were installed before zoning approval was required. Franklin Orozco of 4031 Sorrento Valley Blvd in San Diego was at the meeting to represent Cricket Wireless and distributed new plans and photos. He proposed to remove the existing palm tree antenna and move it 20 feet west so that it meets the 50' setback requirement. At that location, they would combine the existing T-mobile antenna with a new Cricket antenna on a 40' tall artificial broadleaf tree which includes antennae covers so that they will blend in better.

Ralph Pervis, a 30 year resident of 2451 Vista Madera Way, has some concerns. He questioned if this use complied with the local covenants, codes and restrictions (CCRs). He stated that there are 2 areas in the subdivision and that he lives in a different one than the proposed location of the antennae. He feels that it is a commercial use of the property and would be restricted in his subdivision. He asked what the CCRs were to the east of the proposed site. He questioned the necessity of the facility being there. He asked if it in keeping with the character of the area – he believes not. He can't believe the CCRs are different in the site's subdivision. His main objection is the commercial use of this facility in a residential area. His CCRs would prohibit it. PHILLIPS believes commercial use on residential property is a moot point because of the existing SDG&E electrical corridor and lines adjacent to the site. FITCHETT asked the Cricket representative about the property's CCRs. Orozco stated that he was not aware of them. He felt that if the existing facility was there then the new facility would be allowed. He stated that the SDG&E towers have been there for a long time and are considered a utility. FORTHUN stated that SDG&E doesn't pay a monthly stipend to put something on their property. HYATT questioned the width of the utility Right of Way (ROW) and does this commercial use lie within the ROW. The response was, no, it lies right on the edge of the ROW. HYATT then queried why doesn't Cricket mount their facility on the SDG&E poles through a joint pole agreement. Orozco responded that SDG&E did not allow it. They went to the property owner instead since it is an easier process on residential property. He said SDG&E won't let them place equipment within lines as well as having other requirements for landscaping and other screening. He has traded e-mails with SDG&E concerning this issue and can share these with the Group.

FITCHETT doesn't think that Cricket has done due diligence. They haven't come to terms about mounting their facility on SDG&E's existing poles or towers. The advantage of the broadleaf monotree is that it does away with the ugly palm tree antenna. The plan to locate the T-mobile and Cricket antennae on a single 40' tall tree does not eliminate the ground equipment. They moved the location of the 9' x 10' x 8' high building. They did not co-locate it. Both facilities should be located together in an enclosure similar to the adjacent garage building or other residential structure. FITCHETT made a **MOTION** to approve the co-location of the Cricket and T-Mobile telecommunications antennae on a single broadleaf monotree with the

following conditions:

1. The applicant shall verify that the CC&Rs for the subject property do not prohibit such commercial uses on the property.
2. Cricket and T-Mobile telecommunications cabinets and ground-mounted equipment shall be co-located in a single structure similar in design, color, and materials to the existing garage.
3. At the T-Mobile antenna level, the faux broadleaf tree branches shall extend a minimum of 24 inches beyond the antenna panels.
4. The footing for the existing faux monopalms shall be removed.

The motion also included the stipulation that unless all of the above conditions are satisfied, this Planning Group's recommendation reverts to DENIAL. (REITH seconds).

Discussion ensued. Orosco feels like they can work within conditions. He thinks they can engineer the limbs to be longer. PHILLIPS stated that a broadleaf tree shape is not like the shape of a pine tree. It has a canopy and the shape should meet width requirements. Furthermore, the equipment facility does not need to be enclosed but it does need to match surrounding buildings. It was questioned and verified that the equipment will be located within the 50' side yard telecommunication setback.

HYATT doesn't think that the CCRs have been researched enough. He would like the system to be installed on SDG&E's steel poles or lattice towers. It will set a precedent if 2 facilities are installed on one residential site. **VOTE: 9-3-0**
BRENNAN, FORTHUN, HYATT opposed.

6. NEW BUSINESS

- a. Tree Removal. 4347 Resmar Road: Property owner request for permission to remove four mature eucalyptus trees located in the county right-of-way in front of their residence.

FEATHERS presented the project and passed around photos of the eucalyptus trees. Property owner Don Mathiasen stated that he purchased the property in January 2007 and moved in to it in March 2008. He said that the roots of the trees are plugging the sewer line in the County ROW and that the tree drops bark, leaves and seed pods. He has letters from 3 neighbors in support of the tree removal. He stated that the County won't remove the trees and won't fix the tree roots. Jake Oswald of 4351 Resmar Road has lived there since 1967. He says that the trees have presented a difficult situation. A limb broke off and almost hit his granddaughter. Another branch damaged the side of his house. Another limb hit his utility line. Additionally, there is a problem with the leaves. The owner Mathiasen stated that he will landscape yard after the tree removal. He said the roots run far and are pushing up his neighbor's driveway. FEATHERS made a **MOTION** to approve the tree removal with the condition that it will be landscaped with trees afterward. (BRENNAN seconds). **VOTE 12-0-0** to approve.

b. Tree Removal, 3855 El Canto Drive: Property owner request for permission to remove a mature ficus tree located in the county right-of-way in front of their residence.

FEATHERS presented the project and passed around photos of the ficus tree and adjacent retaining wall. Owner Laurie Hehir stated that the roots of the ficus have been cracking her driveway and the 6' block retaining wall which has already been replaced once. She described the tree as 40' tall and has grown into the telephone and utility lines. It is also adjacent to her water line and she thinks it may have grown into it. FEATHERS **moves** to approve the removal of the ficus tree. (MANNING seconds). **VOTE 11-0-1** to approve. Abstained: HEWICKER.

7. **UNFINISHED BUSINESS** – Chairman PHILLIPS requested that Group members come up with a list of projects for low income areas of the community such as Casa De Oro for Community Development Block Grant (CDBG) funding. This area can extend north of Campo Road. Projects can include upgrade of multi-family homes, rehabilitation of run down apartments or improvements such as installation of curbs, gutters, sidewalks, street lights, etc.
8. **CHAIRMAN'S REPORT** – PHILLIPS reported recent expenses of \$94.78 for a new Group member nameplate (for a name change), new labels, paper, FAX ribbon, etc. FORTHUN **moves** to approve the expenses. (BRENNAN seconds). **VOTE 12-0-0** to approve.

9. **ADJOURNMENT: 8:34 PM**

Submitted by: Jösan Feathers